

Authority: General Government and Licensing Committee Item GL1.4, as adopted by City of Toronto Council on January 30 and 31, 2019

## **CITY OF TORONTO**

### **BY-LAW 246-2019**

#### **To authorize the entering into of an agreement for the provision of a municipal capital facility at 105 Fourth Street.**

Whereas Section 252 of the City of Toronto Act, 2006 provides that the City may exempt from taxation for municipal and school purposes land or a portion of it on which municipal capital facilities are, or will be, located and an agreement for municipal capital facilities may allow for the lease, operation or maintenance of the facilities; and

Whereas subsection 2(1) of Ontario Regulation 598/06 prescribes municipal facilities used as a community centre and its ancillary parking facilities; and

Whereas the City (as the successor The Corporation of the Borough of Etobicoke) has entered into a Lease (the "Lease") as the tenant with the Toronto Community Housing Corporation (the "Landlord") for the use of the premises particularly described in Schedule A (the "Premises") as a community centre with an ancillary parking facility; and

Whereas the Premises are primarily used for local community activities and Council has declared by resolution that they are for the purposes of the City and are for a public use; and

Whereas Council is desirous of entering into an agreement (the "Agreement") with the Landlord for the provision of a municipal capital facility at the Premises;

The Council of the City of Toronto enacts:

1. The City is authorized to enter into an Agreement under section 252 of the City of Toronto Act, 2006 with the Landlord for the provision of a municipal capital facility.
2. The Premises are exempt from taxation for municipal and school purposes.
3. This by-law shall be deemed repealed:
  - (a) if the Landlord ceases to be the landlord without assigning the Lease to its successor;
  - (b) if the Premises cease to be used as a community centre with an ancillary parking facility;
  - (c) when the Lease, or any renewal or extension of the Lease, expires;
  - (d) if the Lease, or any renewal or extension of the Lease, is terminated, for any reason whatsoever; or
  - (e) if the Agreement is terminated for any reason whatsoever.

4. (1) Sections 1, 3 and 4 of this by-law shall come into force on the day that the by-law is enacted.
- (2) Section 2 of this by-law shall come into force on the later of the following:
- (a) the date this by-law is enacted;
  - (b) the commencement date of the Lease; and
  - (c) the date the municipal capital facility agreement is entered into.

Enacted and passed on January 31, 2019.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**SCHEDULE A**  
**DESCRIPTION OF THE PREMISES**

105 Fourth Avenue

Approximately 3,250 square feet of space at 105 Fourth Avenue.

Assessment Roll No.: 1919-05-2-060-01600